

Mark D. Selwyn
California State Bar No. 244180
mark.selwyn@wilmerhale.com
WILMER CUTLER PICKERING
HALE AND DORR LLP
2600 El Camino Real, Suite 400
Palo Alto, CA 94306
Telephone: 650 858 6031

James M. Dowd
California State Bar No. 259578
james.dowd@wilmerhale.com
WILMER CUTLER PICKERING
HALE AND DORR LLP
350 South Grand Avenue, Suite 2400
Los Angeles, CA 90071
Telephone: (213) 443-5300

Taylor Gooch
California State Bar No. 294282
taylor.gooch@wilmerhale.com
WILMER CUTLER PICKERING
HALE AND DORR LLP
One Front Street, Suite 3500
San Francisco, CA 94111
Telephone: (628) 235-1000
Attorneys for Non-Parties Broadcom Inc. and Broadcom Corp.

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION**

CALIFORNIA INSTITUTE OF
TECHNOLOGY,

Plaintiff,

v.

SAMSUNG ELECTRONICS CO., LTD. and
SAMSUNG ELECTRONICS AMERICA,
INC.

Defendants.

Case No. 5:22-MC-80318

[Underlying Case Pending in E.D. Tex., Case
No. 2:21-CV-0446-JRG]

**DECLARATION OF TAYLOR GOOCH
IN SUPPORT OF THE PARTIES' JOINT
STIPULATION REGARDING BRIEFING
SCHEDULE FOR PLAINTIFF
CALIFORNIA INSTITUTE OF
TECHNOLOGY'S MOTION TO
COMPEL SUBPOENA COMPLIANCE
BY BROADCOM CORP. AND
BROADCOM INC.**

Date: November 30, 2022

1. I, Taylor Gooch, am an attorney with the law firm of Wilmer Cutler Pickering Hale and Dorr LLP, counsel for Broadcom Inc. and Broadcom Corp. (collectively, "Broadcom"). I have personal knowledge of, or have performed a reasonable investigation into, the facts set forth herein, and I could and would competently testify thereto if called as a witness.

2. California Institute of Technology (“Caltech”) served subpoenas on Broadcom on or about April 13, 2022 for the production of documents in *California Institute of Technology v. Samsung Electronics Co., Ltd. and Samsung Electronics America, Inc.*, 2:21-cv-0446-JRG (E.D. Tex.). Dkt. 1-2, 1-3. Broadcom objected to the production of documents in response to those subpoenas on several bases, including that the requests are overbroad, vague, unduly burdensome, not proportional to the needs of the case, and not reasonably calculated to lead to the discovery of admissible evidence, among other reasons, because Caltech’s claims are barred by the doctrine of claim preclusion and its prohibition against claim splitting. Dkt. 1-4, 1-5.

3. Caltech filed a Motion to Compel Subpoena Compliance by Broadcom (“Motion to Compel”) on November 21, 2022 in this Court. In its Motion to Compel, Caltech requested a hearing on December 27, 2022 at 10:00 AM PT.

4. The briefing schedule for Caltech's Motion to Compel set forth in this Court's local rules conflicts with pre-trial and trial commitments that counsel for Broadcom have in another matter. Counsel for Broadcom is unavailable for a hearing on December 27, 2022 due to planned holiday travel. Broadcom informed Caltech of these conflicts on November 28, 2022, and the parties agreed to the briefing schedule set forth in the parties' Joint Stipulation.

5. The parties have not stipulated to or requested any other modification of an event or deadline in this case. Modifying the briefing schedule and hearing date for Caltech's Motion to Compel will not alter the date of any other event or deadline in this case.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct to the best of my knowledge and belief.

Executed on this 30th day of November, 2022.

By: /s/ Taylor Gooch
Taylor Gooch